IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1663 OF 2005

Jashan Textile Mills Pvt.Ltd. .. Petitioner
V/s
The Deputy Commissioner
of Income Tax 4(2), Mumbai & Ors. .. Respondents.

Mr.S.N.Inamdar with Mr.Atul Jasani for Petitioner.
Dr.P.Daniel for the Respondents.

CORAM: S.RADHAKRISHNAN &
J.H.BHATIA, JJ.

DATE : 28.06.2005.

P.C.:

1. Heard the learned Counsel for the parties. By this Petition, the Petitioner is basically challenging the notice dated 16.3.2005 under Section 148 of the Income Tax Act for reopening of the Assessment. It appears that the Respondents by their communication dated 16th June, 2005 had also disclosed the reasons for reopening the Assessment, to which, the Petitioner has sent a detailed reply dated 23rd June, 2005.

2. Having regard to the facts and circumstances of the case, we direct the Respondents to give a personal hearing to the Petitioner and thereafter decide the Petitioner’s case as expeditiously as possible. We make it clear that in the event the order of the Respondent goes adverse to the Petitioner, the assessment proceedings shall stand stayed for a period of three

weeks from the date of communication of the said order to the Petitioner.

3. Petition stands disposed of in the above terms.

(S.RADHAKRISHNAN J.)

(J.H.BHATIA J.)